

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)

v.)

ANTONIO MENDEZ-RIOS)

No. 3:12-00105

WILLIAM J. HAYNES, JR.

Chief Judge, U.S. District Court

ANTONIO MENDEZ-RIOS' MOTION TO CONTINUE
THE TRIAL OF HIS CASE

COMES now the accused, ANTONIO MENDEZ-RIOS,¹ through counsel, Assistant Federal Public Defender, Isaiah S. Gant, and respectfully moves this Honorable Court to enter an order continuing the trial of this matter, presently scheduled to commence Tuesday, August 21, 2012, at 9:00 A.M., to a date compatible with the Court's calender, but not less than sixty (60) days from the current trial date. In support of the foregoing motion, it is respectfully represented to this Honorable Court as follows:

1. 18 U.S.C. § 3161(h)(7)(A) provides, in pertinent part, that any period of delay resulting from a continuance granted on the basis of a court's findings that the ends of justice served by granting of a continuance outweigh the best interests of the public and the accused in a speedy trial shall be excluded in computing the time within which the trial must commence.

2. The factors that a judge shall consider in determining whether to grant a continuance are found at 18 U.S.C. § 3161(h)(7)(B)(iv). One such factor is whether the denial of a continuance would deny counsel for the accused "the reasonable time necessary for effective preparation, taking into account the exercise of due diligence."

¹Nelson Guzman Gopar is the accused's actual name.